July 2007

A Municipal Drinking Water Licensing Program Overview

Introduction

The Ontario Government is implementating the Municipal Drinking Water Licensing Program as recommended by Justice O'Connor in the Part II Report of the Walkerton Inquiry.

Justice O'Connor recommended a new approvals framework for municipal drinking water systems, which would require owners to obtain a licence to operate their systems as well as incorporate the concept of quality management into their operations. In order to meet these recommendations, the Ministry of the Environment (MOE) has developed the Municipal Drinking Water Licensing Program, implemented under the *Safe Drinking Water Act, 2002* (SDWA). The Licensing Program will replace the existing approvals program for municipal residential drinking water systems.

What is a Municipal Drinking Water Licence?

A municipal drinking water licence is an approval that will be issued by the MOE to owners under the SDWA for the operation of municipal residential drinking water systems. A licence will be issued once the owner has the following in place for its system:

1. **A Drinking Water Works Permit (DWWP)**
   - a permit to establish or alter a drinking water system (together with a licence, this will replace the certificates of approval)
2. **An Accepted Operational Plan**
   - the plan will be based on the Drinking Water Quality Management Standard (DWQMS)
   - the plan will document an operating authority's quality management system (QMS)
3. **Accreditation of the Operating Authority**
   - a third-party audit of an operating authority's QMS will be the basis for accreditation
4. **A Financial Plan**
   - as required under the Financial Plans Regulation
5. **A Permit to Take Water (PTTW)**
   - a valid PTTW is required to be in place

Also, before a licence is issued, the Director appointed under the SDWA must be satisfied that the system will be operated in accordance with the requirements under the SDWA and the proposed conditions of the licence.

Remember, this is only a summary

To be clear about your specific legal requirements, you should refer to the Safe Drinking Water Act, 2002, and the regulations and other instruments made under that Act. For more information, please access the Drinking Water Ontario portal at www.ontario.ca/drinkingwater or the Ministry's Public Information Centre at 1-800-565-4923.

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Benefits of implementing a Quality Management System

Implementing a QMS for a municipal residential drinking water system has a number of benefits:

- greater efficiency and effectiveness which can minimize duplication
- improved management of the drinking water system as consistent policies and procedures are communicated throughout the organization
- enhanced management and operation of a municipal residential drinking water system that supports the production of safe drinking water
- roles and responsibilities are clearly defined and documented
- increased communication between the owner and the operating authority
- helps to facilitate community confidence in the drinking water supply and helps to fulfill the needs and expectations of consumers

Submission Dates

Owners are required to submit their operational plans and applications for a DWWP and licence on or before the dates prescribed by the Licensing of Drinking-Water Systems Regulation (O. Reg.188/07). The dates are phased over an 18 month period.

Large Municipalities

- January 1, 2009 to February 1, 2009
- over 100,000 total service population

Medium Municipalities

- March 1, 2009 to February 1, 2010
- 1,001 to 100,000 total service population

Small Municipalities

- March 1, 2010 to June 1, 2010
- 1,000 or less total service population.

Operational Plan Options

Three options are available for the submission of initial operational plans:

Option 1
Limited Scope - Partial DWQMS

- the owner will document and implement 12 key elements of the DWQMS
- the operating authority will be accredited upon successful completion of an audit based on the documentation and implementation of these sections
- the remaining sections must be documented and implemented within 12 months of receiving a certificate of accreditation (limited scope). Upon successful completion of an audit, a certificate of accreditation (full scope) will be issued

Option 2
Limited Scope - Entire DWQMS

- all elements of the DWQMS will be documented in the operational plan but are not required to be implemented
- the operating authority will be accredited upon successful completion of an audit of the operational plan document
- the full QMS must then be implemented within 12 months of receiving a certificate of accreditation (limited scope). Upon successful completion of an audit a certificate of accreditation (full scope) will be issued

Option 3
Full Scope - Entire DWQMS

- all elements of the DWQMS will be documented and implemented
- the operating authority will be accredited upon successful completion of an audit of both the operational plan document and the implementation of the QMS and will receive a certificate of accreditation (full scope) from the accreditation body

Roll-out of the Municipal Drinking Water Licensing Program

The requirement for owners of municipal residential drinking water systems to submit an operational plan and applications for a DWWP and a licence will be phased in over 18 months. Dates for these submissions will start January 1, 2009, with large municipalities in the first two months, followed by medium municipalities and then small municipalities geographically from the southwest to the southeast to the north.

When an owner of a municipal residential drinking water system submits documents to the MOE, the operating authority will have to submit the operational plan to the third-party accreditation body. The accreditation body will accredit the operating authority based on a successful audit.

It is anticipated that the MOE will be entering into an agreement with a third-party accreditation body in late summer 2007.

Responsibilities

Owner:

- submit applications for a DWWP and a municipal drinking water licence
- endorse and submit the operational plan to the MOE
- develop financial plans based on prescribed requirements (proposal can be found on the Environmental Bill of Rights Registry)
- ensure that the system is being operated by an accredited operating authority

Operating Authority:

- together with the owner, develop an operational plan and implement a QMS per the DWQMS
- ensure owner endorsement of the operational plan
- submit an application and operational plan to the accreditation body for an audit after the owner submits the operational plan to the MOE

Accreditation Body and Auditor:

- audit the operational plan and the QMS to verify conformance with the DWQMS
- accredit the operating authority per the auditor's recommendations
- provide a copy of the audit report to the MOE for the purpose of issuing a licence

Ministry of the Environment:

- receive, review and accept/approve documentation relating to the Municipal Drinking Water Licensing Program's components of the SDWA and its associated regulations (e.g. operational plans and applications for DWWPs and licences, etc.)
- issue DWWPs and licences to municipal residential drinking water system owners

The Audit Cycle

The audits of the operating authority's QMS will be based on the ISO industry standard of a three year cycle.

- Initiated when the operating authority receives a certificate of accreditation (full scope)

Year 1 – Surveillance Audit

- desktop review only, no on-site visit intended

Year 2 – Surveillance Audit

- same as above

Year 3 – Re-accreditation Audit

- will include a desktop and on-site audit of the QMS

Supporting Material & Resources

The following materials and resources are available:

A guidance document on how to implement the DWQMS (e.g., how to develop an operational plan). The document also includes templates for procedures and examples of operational plans

Program information and updates on *Drinking Water Ontario* www.ontario.ca/drinkingwater

A pocket guide on what an owner needs to do to get a license and a plain-language summary of the DWQMS.

The following materials and resources are under development:

Primer package – fact sheets, brochure, and other guidance material as required

MOE workshops across the province (how to prepare an operational plan and implement the DWQMS) starting fall 2007

Training by the Walkerton Clean Water Centre